IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Revision No. 2128 of 2006
Date of decision: 1.9.2006

Surinder Singh --- Petitioner

Versus

Radhey Shyam --- Respondent

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL

PRESENT: Mr. N.S. Sodhi, Advocate for the petitioner.

Mr. Arun Sharma, Advocate for the respondent.

JUDGMENT

In this revision petition filed by the tenant the challenge is to the order dated 1.4.2006 whereby the Rent Controller has assessed rent of the premises in dispute at the rate of Rs. 1,000/- per month. The Rent Controller adjourned the ejectment petition to 20.4.2006 for making payment of rent at the aforesaid rate from 1.7.2003 along with interest at the rate of 9% per annum and costs of Rs. 500/- as assessed by it.

The Rent Controller while assessing the rent, provisionally took into consideration an agreement dated 5.4.2003 produced by the landlord allegedly executed by the petitioner-tenant whereby the premises were let out to him for two years i.e. upto 4.4.2005, at the rate of Rs. 2,500/- per month. The genuineness of the said agreement was, however, disputed by the tenant. It was on these premises that the Rent Controller provisionally assessed the rent of the premises in dispute at the rate of Rs. 1,000/- per month.

After hearing counsel for the parties and perusing the record, I find no illegality or material irregularity in the impugned order. Learned counsel for the petitioner could not pin-point anything from the record or

otherwise, that the rent of the premises in question could not have been assessed at the above rate by the Rent Controller. Assessment of rent, which in the present case, has been made at the rate of Rs. 1,000/- per month will in any case be subject to final determination by the Rent Controller. No ground to interfere with the impugned order is, therefore, made out. The petitioner-tenant may deposit/tender the rent payable upto 31.8.2006 before the Rent Controller on or before 15.9.2006. The revision petition is consequently dismissed.

(AJAY KUMAR MITTAL)
JUDGE

September 1, 2006
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